

ASSEMBLY BILL

No. 1091

Introduced by Assembly Member Eduardo Garcia

February 27, 2015

An act to amend Section 69436 of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

AB 1091, as introduced, Eduardo Garcia. Student financial aid: California Community College Transfer Entitlement awards.

The Cal Grant Program establishes the Cal Grant A and Cal Grant B Entitlement awards, the California Community College Transfer Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C award, and the Cal Grant T award under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions.

This bill would make nonsubstantive changes in provisions relating to the California Community College Transfer Entitlement awards.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 69436 of the Education Code is amended
- 2 to read:
- 3 69436. (a) A student who was not awarded a Cal Grant A or
- 4 *Cal Grant B* award pursuant to Article 2 (commencing with Section
- 5 69434) or Article 3 (commencing with Section 69435) at the time

1 of his or her high school graduation but, at the time of transfer
2 from a California community college to a qualifying baccalaureate
3 program, meets all of the criteria set forth in subdivision (b), shall
4 be entitled to a Cal Grant A or *Cal Grant B* award.

5 (b) ~~Any~~ A California resident transferring from a California
6 community college to a qualifying institution that offers a
7 baccalaureate degree is entitled to receive, and the commission,
8 or a qualifying institution pursuant to Article 8 (commencing with
9 Section 69450), shall award, a Cal Grant A or *Cal Grant B* award
10 depending on the eligibility determined pursuant to subdivision
11 (c), if all of the following criteria are met:

12 (1) A complete official financial aid application has been
13 submitted or postmarked pursuant to Section 69432.9, no later
14 than the March 2 of the year immediately preceding the award
15 year.

16 (2) The student demonstrates financial need pursuant to Section
17 69433.

18 (3) The student has earned a community college grade point
19 average of at least 2.4 on a 4.0 scale and is eligible to transfer to
20 a qualifying institution that offers a baccalaureate degree.

21 (4) The student's household has an income and asset level not
22 exceeding the limits set forth in Section 69432.7.

23 (5) The student is pursuing a baccalaureate degree that is offered
24 by a qualifying institution.

25 (6) He or she is enrolled at least part time.

26 (7) The student meets the general Cal Grant eligibility
27 requirements set forth in Article 1 (commencing with Section
28 69430).

29 (8) The student will not be 28 years of age or older by December
30 31 of the award year.

31 (9) The student graduated from a California high school or its
32 equivalent during or after the 2000–01 academic year.

33 (10) (A) Except as provided for in subparagraph (B), the student
34 attended a California community college in the academic year
35 immediately preceding the academic year for which the award will
36 be used.

37 (B) A student otherwise eligible to receive an award pursuant
38 to this section, who attended a California community college in
39 the 2011–12 academic year, may use the award for the 2012–13
40 and 2013–14 academic years.

1 (c) The amount and type of the award pursuant to this article
2 shall be determined as follows:

3 (1) For applicants with income and assets at or under the Cal
4 Grant A limits, the award amount shall be the amount established
5 pursuant to Article 2 (commencing with Section 69434).

6 (2) For applicants with income and assets at or under the Cal
7 Grant B limits, the award amount shall be the amount established
8 pursuant to Article 3 (commencing with Section 69435).

9 (d) (1) A student meeting the requirements of paragraph (9) of
10 subdivision (b) by means of high school graduation, rather than
11 its equivalent, shall be required to have graduated from a California
12 high school, unless that California resident graduated from a high
13 school outside of California due solely to orders received from a
14 branch of the United States Armed Forces by that student or by
15 that student's parent or guardian that required that student to be
16 outside of California at the time of high school graduation.

17 (2) For the purposes of this article, both of the following are
18 exempt from the requirements of subdivision (e) of Section 69433.9
19 and paragraph (9) of subdivision (b) of this section:

20 (A) A student for whom a claim under this article was paid prior
21 to December 1, 2005.

22 (B) A student for whom a claim under this article for the
23 2004–05 award year or the 2005–06 award year was or is paid on
24 or after December 1, 2005, but no later than October 15, 2006.

25 (3) (A) The commission, or a qualifying institution pursuant
26 to Article 8 (commencing with Section 69450), shall make
27 preliminary awards to all applicants currently eligible for an award
28 under this article. At the time an applicant receives a preliminary
29 award, the commission, or a qualifying institution pursuant to
30 Article 8 (commencing with Section 69450), shall require that
31 applicant to affirm, in writing, under penalty of perjury, that he or
32 she meets the requirements set forth in subdivision (e) of Section
33 69433.9, paragraph (9) of subdivision (b) of this section, and
34 paragraph (1) of this subdivision. The commission, or a qualifying
35 institution pursuant to Article 8 (commencing with Section 69450),
36 shall notify each person who receives a preliminary award under
37 this paragraph that his or her award is subject to an audit pursuant
38 to subparagraph (B).

39 (B) The commission shall select, at random, a minimum of 10
40 percent of the new and renewal awards made under subparagraph

1 (A), and shall require, prior to the disbursement of Cal Grant funds
2 to the affected postsecondary institution, that the institution verify
3 that the recipient meets the requirements of subdivision (e) of
4 Section 69433.9, paragraph (9) of subdivision (b) of this section,
5 and paragraph (1) of this subdivision. An award that is audited
6 under this paragraph and found to be valid shall not be subject to
7 a subsequent audit.

8 (C) Pursuant to Section 69517.5, the commission shall seek
9 repayment of any and all funds found to be improperly disbursed
10 under this article.

11 (D) On or before November 1 of each year, the commission
12 shall submit a report to the Legislature and the Governor including,
13 but not necessarily limited to, both of the following:

14 (i) The number of awards made under this article in the
15 preceding 12 months.

16 (ii) The number of new and renewal awards selected, in the
17 preceding 12 months, for verification under subparagraph (B), and
18 the results of that verification with respect to students at the
19 University of California, at the California State University, at
20 independent nonprofit institutions, and at independent for-profit
21 institutions.